

Message Text

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44

ORIGIN L-03

INFO OCT-01 IO-12 ADP-00 SCI-06 SS-15 INRE-00 GAC-01

ACDA-19 CIAE-00 DODE-00 PM-09 INR-10 NSAE-00 NASA-04

NSC-10 RSC-01 EUR-25 /116 R

DRAFTED BY L/ UNA: SCNELSON: EB

21320 4/10/73

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P 111838 Z APR 73

FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK PRIORITY

C O N F I D E N T I A L STATE 067277

E. O. 11652: GDS

TAGS: TSPA, PFOR, UN, UR

SUBJECT: OUTER SPACE LEGAL: TREATY ON CELESTIAL BODIES--

SCOPE

REFS: A. USUN 1278; B. USUN 1280

1. SOVIET RESPONSE TO U. S. POSITION ON SCOPE OF TREATY

(PARA 3 REF B) REINFORCES OUR FEELING THAT SOVIETS REGARD DIFFERENCE BETWEEN U. S. AND U. K. FORMULATIONS ON SCOPE AS MATTER OF SUBSTANCE. SOVIETS APPEAR TO REGARD APPLICATION OF TREATY TO MOON IN PARTICULAR AS " CONCRETE", WHILE GENERAL APPLICATION TO CELESTIAL BODIES WITHIN SOLAR SYSTEM IS " ABSTRACT", AND THUS SOMEHOW OBJECTIONABLE. WE REGRET THIS ATTITUDE BUT NOTE THAT SOVIETS WERE AWARE THAT WE CONSIDERED BROADENED SCOPE AN ESSENTIAL ELEMENT OF OUR WILLINGNESS TO PARTICIPATE IN THIS NEGOTIATION.

2. RE PIRADOV'S QUESTION (REF A), WE DO NOT BELIEVE IT

WOULD BE SIGNIFICANT LOSS IF TREATY WERE NOT CONCLUDED

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THIS YEAR. WHOLE TREATY IS OF COURSE SOVIET INITIATIVE
ABOUT WHICH WE HAVE NEVER BEEN PARTICULARLY ENTHUSIASTIC
BUT WHICH WE HAVE ATTEMPTED TO MAKE SOMEWHAT MORE MEANING-
FUL BY, AMONG OTHER THINGS, EXPANDING SCOPE. IF THIS CAN-
NOT BE ACCOMPLISHED IN AN UNEQUIVOCAL WAY INDICATING CLEAR
AGREEMENT ON SCOPE OF THIS INSTRUMENT, WE PREPARED TO SEE

TREATY CARRIED OVER TO NEXT YEAR. WE NOTE THAT THIS WOULD
HAVE ADVANTAGE OF REDUCING AMOUNT OF TIME FOR LSC TO
FOCUS ON OTHER ISSUES, PARTICULARLY DIRECT BROADCAST
SATELLITES. WE EXPECT SOVIET INTEREST IN "CLEARING THE
DECK" FOR ACTION ON DBS MAY LEAD THEM TO ACCEPT OUR POSI-
TION ON SCOPE OF TCB. IF NOT, WE DO NOT PERCEIVE ANY
DET RIMENT TO U. S. INTEREST IN FAILURE TO CONCLUDE TREATY
THIS YEAR.

3. ABOVE FOR DELEGATION'S INFORMATION ONLY. ROGERS

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*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

Message Attributes

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Draft Date: 11 APR 1973
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Disposition Approved on Date:
Disposition Authority: thigpegh
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EO Systematic Review
30 JUN 2005

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